

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL ROBINSON,  
Plaintiff

v.

CIVIL ACTION NO. 23-4774

KEVIN HUTCHINSON, INDIVIDUALLY  
AND D/B/A UBREAKIFIX BY  
ASURION; OFFICER RYAN M.  
WIEGAND, BADGE NUMBER 39,  
INDIVIDUALLY AND IN HIS OFFICIAL  
CAPACITY; and EAST LAMPETER  
TOWNSHIP POLICE DEPARTMENT,  
Defendants

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of July, 2024, upon review of Defendants' Motions to Dismiss Plaintiff's Complaint and Plaintiff's opposition thereto, it is hereby **ORDERED** as follows:

1. The Motion to Dismiss of Defendant, Kevin Hutchinson (ECF No. 5) is **GRANTED** and Defendant Hutchinson is dismissed from this action;
2. The Motion to Dismiss of Defendants, Officer Ryan Wiegand and East Lampeter Township Police Department (ECF No. 6) is **GRANTED** as follows;
  - a. Plaintiff's claims for defamation and malicious prosecution are **DISMISSED with prejudice**;
  - b. Plaintiff's claim under section 1983 against East Lampeter Township Police Department is **DISMISSED with prejudice**;
  - c. Plaintiff's free speech, due process, and equal protection claims against Officer Wiegand only are **DISMISSED without prejudice**, and Plaintiff may file an Amended Complaint as to Officer Wiegand **ONLY** on those three claims within twenty days, if he can do

so in compliance with the Federal Rules of Civil Procedure. No other Defendants or claims shall be included in Plaintiff's Amended Complaint.

**BY THE COURT:**

**/s/ Jeffrey L. Schmehl**  
Jeffrey L. Schmehl, J.